

RESPONSE TO RESTRICTION, AND
ELECTION OF SPECIES REQUIREMENTS
AND AMENDMENT
U.S. Application No.: 10/511,632

REMARKS

Claim Amendment

Claim 3 has been amended to read, *inter alia*, “R^{3a} and R^{3b}, **different from each other**, each represents a hydrogen atom or a hydroxyl group.” No new matter has been introduced. Entry of the amendment and reconsideration of the application are respectfully requested.

Restriction Requirement

In response to the Restriction Requirement Applicants elect Group 2, claim 3 for examination. This election is made without traverse.

Species Election Requirement

This responds to the Election of Species Requirement dated September 11, 2007. The Examiner has identified the application as containing claims directed to more than one distinct species. The Examiner has required the Applicants to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted. The Examiner believes claims 1-10 are generic. Applicants have been advised that a response to this requirement shall include an identification of the species that is elected and a listing of all claims readable thereon.

In response to the Examiner's requirement, Applicants elect Compound 7 (in which R¹, R², R^{3a} and R⁷ are hydrogen, R^{3b} is hydroxyl group, R⁴ and R⁵ are taken together to form a n bond, R⁸ and R⁹ are taken together to form an ether bond, and X is chlorine atom) for examination on which claims 3 to 6 are directly readable.

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In addition, since “a compound having an activity of inhibiting the function of WNT-5A” includes the Compound No. 7, claims 1, 2, 7 and 8 also readable the elected compound.

In addition, Applicant would like to bring the Examiner’s attention to the fact that claim 3 has been amended to read “R^{3a} and R^{3b}, **different from each other**, each represent a hydrogen atom or a hydroxyl group.” The currently presented claim 3 is not anticipated by references such as U.S. 3,687,982 or EP 0606044 A1 and Applicants respectfully request the species election be withdrawn.

Applicants submit that if any of the elected claims is found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

Applicants reserve the right to file a Divisional Application(s) directed to non-elected claims 1, 2 and 4-10.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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Respectfully submitted,

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